

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

TANTIVY COMMUNICATIONS, INC.,

*Plaintiff.*

VS.

LUCENT  
TECHNOLOGIES, INC.

*Defendants.*

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**Civil Action No. 2-04-CV-79 TJW**

**STIPULATION AND ORDER OF DISMISSAL**

On this date appeared counsel of record for the parties in the above-referenced cause, and announced their stipulation that this action should be dismissed with prejudice as to (a) Tantivy's claims against Lucent; and (b) Lucent's counterclaims against Tantivy, except that such dismissal shall be without prejudice as to Lucent's claims of invalidity and unenforceability to the extent Tantivy asserts the Patents against Lucent. Accordingly, it is ORDERED that:

1. This cause is dismissed;
2. All parties shall bear their own costs; and
3. All relief not expressly granted herein is denied.

Signed this \_\_\_\_\_ day of November 2005.

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United States District Judge

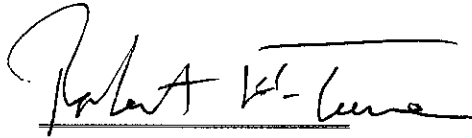
Stipulated and agreed by:



D. Dudley Oldham  
State Bar No. 15248000  
Robert S. Harrell  
Linda Addison  
State Bar No. 00903700

FULBRIGHT & JAWORSKI L.L.P.  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
Telephone: (713) 651-5151  
Telecopier: (713) 651-5246

**Attorneys for Tantivy  
Communications, Inc.**



Robert W. Turner  
State Bar No. 20329000  
State Bar No. 09041350

JONES DAY  
2727 North Harwood Street  
Dallas, Texas 75201-1515  
Telephone: (214) 220-3939  
Telecopier: (214) 969-5100

**Attorneys for Lucent  
Technologies, Inc.**